

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
Columbia County, Wisconsin

Portage, Wisconsin
December 21, 2005
9:51 A.M.

The Board of Supervisors of Columbia County convened in annual session at the Courthouse in Portage pursuant to law. Chair Susan Martin called the meeting to order.

All Supervisors were present (Supervisor O'Neil arrived late).

Pledge of Allegiance was recited.

A motion to approve the Journal of November 15, 2005, was made by Supervisor Salzwedel, second by Supervisor DeYoung. Motion carried unanimously.

A motion to approve the agenda, as published, with an exception, agenda item "Audit Report" will be postponed to a future date. Motion to approve agenda as amended was made by Supervisor Boockmeier, second by Supervisor DeYoung. Motion carried unanimously.

Chair Martin referenced an article in The Mutual Effort in which the Wisconsin County Mutual Insurance Corporation announced the "2004 County Mutual Performance Awards". Awards are given to counties that have demonstrated their commitment to safety and risk prevention efforts. The Columbia County Sheriff's Department was a recipient of an award in the category of "Best Loss Ratios". Chair Martin commended them for their efforts.

Chair Martin highlighted 2005 accomplishments: maintained current staffing and programs, reduced mill rate, planning and fiscal budget restraint; completion and opening of Highway and Huber facilities; building improvements and security.

All who participated in the Giving Tree Project were thanked for its success.

The County Clerk provided information on deadlines for filing Notification of Non-Candidacy forms, Candidacy Registration and nomination papers.

The following appointments were announced:

- (1) The Executive Committee recommended the appointment of Douglas Richmond to fill the vacancy in Supervisory District 28 for remainder of term. On motion by Supervisor Boockmeier, second by Supervisor Pufahl, the appointment was unanimously approved.
- (2) Tim O'Neil to the Human Resources Committee, Kenneth Hutler to the Management Information Services Committee and Douglas Richmond to the Solid Waste Committee. On motion by Supervisor DeYoung, second by Supervisor Lloyd, the appointments were unanimously approved.
- (3) Patricia Westby and Glenn Deedon reappointed to the County Library Systems Board for a term to expire December 2008. On motion by Supervisor O'Neil, second by Supervisor Hutler, the appointments were unanimously approved.

Chair Martin introduced members of Library Long Range Planning Committee in attendance: Carol Ziehmke-Chair, Hans Jensen-Librarian and members Harlan Baumgartner, J. Robert Curtis and Andy Ross. She indicated the 2006-2010 Columbia County Plan for Library Services had been placed on Supervisors desks for their review.

REPORT OF THE LAND & WATER CONSERVATION COMMITTEE

For the Farmland Preservation Program

We, the Land and Water Conservation Committee, having received a copy of an application for a Farmland Preservation Agreement pursuant to Section 91.13 (2) Wisconsin Statutes have approved the following:

NAME	TOWN
Velma (Laverne) Burns	Scott
Russell Burns & Stewart Burns	

Robert Hamele
Claire Robson
Robert Stoltenberg
Don Nelson
John G. Stevenson
Rosanne Woodward
LAND & WATER CONSERVATION COMMITTEE

On motion by Supervisor Hamele, second by Supervisor Stevenson, the Report was unanimously accepted.

RESOLUTION NO. 39-05

WHEREAS, the legislature of the State of Wisconsin enacted legislation providing for allocation to the respective counties in that state on an acreage basis for the county fish and game projects on the condition that the counties match the state allocation, and

WHEREAS, Columbia County desires to participate in county fish and game projects pursuant to provisions of s.23.09(12) of the Wisconsin Statutes;

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Land and Water Conservation Committee be and hereby is authorized to expand the funds hereby appropriated and the funds to be received for the State of Wisconsin, for the improvement of fish and wildlife habitat, and to operate and maintain or to cause to be operated and maintained the project for its intended purpose.

BE IT FURTHER RESOLVED, that we, the Columbia County Land and Water Conservation Committee, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Columbia County Board of Supervisors at its meeting held on December 21, 2005.

Fiscal Note: \$2,120 in the 2006 Budget

Fiscal Impact: None

John G. Stevenson
Donald P. Nelson
~~Rosanne Woodward~~
Claire Robson
Robert J. Stoltenberg
Robert L. Hamele
LAND & WATER CONSERVATION COMMITTEE

Motion was made to adopt the Resolution by Supervisor Hamele, second by Supervisor V. Curtis.

Kurt Calkins, Land and Water Conservation Director, explained this Resolution complies with the requirement that the County Board adopt a formal resolution to demonstrate its match of the state allocation. Types of programs and projects included handicapped crossings and numerous restoration tree plantings on various public properties. Calkins indicated this is a (5) five-year update and that funds are budgeted for 2006.

The Resolution was unanimously adopted.

RESOLUTION NO.

WHEREAS, Sections 59.40(4) and 59.52(28) of the Wisconsin Statutes provide that the Clerk of Circuit Court may contract with a collection agency for the collection of unpaid fines and forfeitures if authorized by the County Board; and

WHEREAS, Professional Placement Services, LLC, provides collection services to clerk of circuit courts offices in other counties; and

WHEREAS, the Columbia County Clerk of Circuit Court has recommended that Columbia County enter into a contract with Professional Placement Services, LLC, for collection of unpaid fines and forfeitures.

NOW, THEREFORE, BE IT RESOLVED, that the Columbia County Board of Supervisors authorizes Columbia County Clerk of Circuit Court Susan Raimer to enter into a contract with Professional Placement Services, LLC, the term of which contract shall not exceed two (2) years.

Fiscal Note: None.

Fiscal Impact: Collection of unpaid fines and forfeitures will increase with no additional cost to the County. The collection agency is reimbursed entirely through a percentage of the amount actually collected.

Robert L. Hamele
Richard C. Boockmeier
Tom L. Jenkins, Secretary
Robert J. Andler, Vice Chair
Robert Westby, Chair
JUDICIARY COMMITTEE

Motion was made to adopt the Resolution by Supervisor Westby, second by Supervisor Boockmeier.

A number of questions were raised from the floor regarding contract bid policy; length of contract; percent charged for collection and litigation; tactics used in collecting funds; and percentage of return to the County.

Susan Raimer, Clerk of Circuit Court, has investigated and found Professional Placement Services, LLC. The Clerk of Court can assign cases rather than have the agency select possibly the easier collections. Contract terms are not to exceed two (2) years; however, can be terminated at any time for any reason.

Supervisor Tramburg raised questions on how collection results would be measured and expressed concerns with policies and procedures for recording collections. Further, Supervisor Tramburg had information pertaining to experiences Waukesha County had with the same collection agency. The contract was cancelled in part to low return on collections to the county. Waukesha County had gone to an in-house collection service. He recommended more research and planning before adoption of this Resolution as well as involving the Comptroller and Corporation Counsel. It was noted the State Assembly is currently working on legislation that would give counties more mechanisms for collecting fines and forfeitures.

Motion to send this Resolution back to Committee for further review and resolve by Supervisor Tramburg, second by Supervisor Baumgartner.

Supervisor Sanderson called for "point of order".

Further, discussion regarding current collection process.

Supervisor Westby called for "point of order" and explained that the motion to table is not debatable or amendable.

Supervisor Hamele stated the motion was to refer back, not to table.

Attorney Ruf clarified the Board can have discussion on motions to refer back.

The Clerk of Circuit Court, by Wisconsin Statutes, can enter into a contract with a collection agency for unpaid fines and forfeitures. The Clerk of Court and collection agency will determine if cases need to proceed to court for further action. It was reiterated the contract could be terminated at any time for any reason.

Supervisor Tramburg again stressed his concerns regarding County control and assuring the involvement of the Comptroller and Corporation Counsel. This Resolution should be held over for sixty (60) days for additional research.

Supervisor Hamele explained sixty (60) days would be a problem being the Board doesn't meet in February and felt that the momentum would decline, the process needed to move forward.

Supervisor Pufahl felt thirty (30) days would be adequate to look at both pros and cons and return to the County Board in January. Supervisor Wopat asked if the agency provided its own attorneys? Corporation Ruf indicated that the County would not be involved in any litigation regarding these collections. Supervisor Boockmeier supported the Resolution and asked that it be passed so that the process can proceed.

The Clerk restated the motion: to refer this resolution back to the Judiciary Committee for further review then returning to the County Board floor in January for consideration. Motion was approved on a roll call vote as follows:

AYES: 16; NOES: 14

AYES: Kinney, Pufahl, Pugh, Richmond, Robson, Salzwedel, Stevenson, Stoltenberg, Tramburg, Wopat, Baebler, Baumgartner, V. Curtis, DeYoung, Healy and Horton.

NOES: Lloyd, Nelson, O'Neil, Olson, Ross, Sanderson, Westby, Andler, Boockmeier, J. Curtis, Ford, Hamele, Hutler and Jenkins.

RESOLUTION NO. 40-05

WHEREAS, in the 2006 Budget, Columbia County did appropriate \$21,263 as matching funds for a State Elderly and Disabled Specialized Transportation Services Grant program, and

WHEREAS, funding levels now established have amended the grant and require a 20 percent County match, and

WHEREAS, provision of specialized transportation services improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED, that the Elderly and Disabled Specialized Transportation Grant of \$106,887 be accepted.

BE IT FURTHER RESOLVED, that the County match be increased to the adjusted amount of \$21,377, thus requiring an additional appropriation of \$114

BE IT FURTHER RESOLVED, that the Chairperson of the Columbia County Board of Supervisors be authorized to execute a State Aid Contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Columbia County.

Fiscal Note: In 2006, transfer \$114 from Contingency Fund #100.350000 to Health and Human Services Account #562000000

Fiscal Impact: None

Timothy O'Neil, MD
Claire Robson
Phil Baebler
~~Charles Boursier, MD~~
Susan Goethel
Janet Gardner, RN
Kenneth Olson, Secretary
Barry Pufahl, Vice Chair
J. Robert Curtis, Chair
HEALTH & HUMAN SERVICES BOARD

Motion was made to adopt the Resolution by Supervisor J. Curtis, second by Supervisor Baebler.

Supervisor Tramburg stated that the Finance Committee has already discussed the Resolution and recommends approval.

Supervisor Hamele clarified that a two-thirds vote of the entire Board was required for passage of this Resolution.

Supervisor Pufahl indicated Fiscal Impact should reflect \$114.

The Resolution was unanimously adopted on a roll call vote as follows:

AYES: 30; NOES: 0

AYES: Lloyd, Nelson, O'Neil, Olson, Pufahl, Pugh, Richmond, Robson, Ross, Salzwedel, Sanderson, Stevenson, Stoltenberg, Tramburg, Westby, Wopat, Andler, Baebler, Baumgartner, Boockmeier, J. Curtis, V. Curtis, DeYoung, Ford, Hamele, Healy, Horton, Hutler, Jenkins and Kinney.

REPORT OF THE PLANNING AND ZONING COMMITTEE

The Planning and Zoning Committee having held public hearings thereon pursuant to Section 59.69 Wisconsin Statutes, notice thereof have been given as provided by law and being duly advised of the wishes of the people in the areas affected hereby recommend as follows:

- (1) A petition by Robert L. Recob, Rio, Wisconsin to rezone from Agricultural to Rural Residential, property located in Section 10, Town of Lowville on the 19th day of October, 2005 be approved as follows: To change from Agricultural to Rural Residential, a parcel of land described as part of Lot 2, Certified Survey Map Number 2381, located in part of the SE ¼ of the SW ¼ and part of the NE ¼ of the SW ¼, Section 10, Town 11N, Range 10E, Town of Lowville.

- (2) Petitions by James and LeRoy Yohn, Fall River, Wisconsin to rezone from Agricultural to Rural Residential, two properties located in Sections 16 and 21, Town of Fountain Prairie on the 3rd day of November, 2005 be approved as follows: To change from Agricultural to Rural Residential, a parcel of land located in part of the SW ¼ of the SE ¼, Section 16; and part of the NW ¼ of the NE ¼, Section 21, Town 11N, Range 12E, Town of Fountain Prairie; AND To change from Agricultural to Rural Residential, a parcel of land located in part of the SE ¼ of the SE ¼, Section 16, and part of the NE ¼ of the NE ¼, Section 21, Town 11N, Range 12E, Town of Fountain Prairie.

Harlan Baumgartner
John Healy
John Stevenson
Harlan Horton
Phil Baebler
PLANNING AND ZONING COMMITTEE

Upon hearing no objection, Chair Martin directed the report be accepted and placed on file.

ORDINANCE NO. Z333-05

An Amending Ordinance

The Columbia County Board of Supervisors do ordain as follows: That Title 16 – Chapter 1, entitled “Zoning”, of the County Code, as passed by the Board of Supervisors on February 16, 1972 is hereby amended and added thereto as follows:

- (1) “To change from Agricultural to Rural Residential”, (Robert L. Recob) a parcel of land located in Section 10, Town of Lowville, more particularly described as follows: PARCEL NUMBER 185 Part of Lot 2, Certified Survey Map Number 2381, located in the Southeast ¼ of the Southwest ¼ and the Northeast ¼ of the Southwest ¼, Section 10, Town 11 North, Range 10E, Town of Lowville, described as follows: Beginning at the south ¼ corner of Section 10, being the southeast corner of Lot 2; Thence South 88 degrees 05 minutes 31 seconds West 50.02 feet along the south line of Section 10; Thence North 00 degrees 14 minutes 06 seconds West 1383.37 feet; Thence South 88 degrees 01 minutes 06 seconds West 607.71 feet; Thence North 00 degrees 14 minutes 06 seconds West 230.90 feet; Thence North 84 degrees 44 minutes 19 seconds East 326.01 feet; Thence South 72 degrees 02 minutes 00 seconds East 416.49 feet to the east line of Lot 2; Thence South 00 degrees 14 minutes 06 seconds East 1490.84 feet along the east line of Lot 2 to the point of beginning. Said property contains 5.00 acres, more or less. This rezoning effective upon the recording of the certified Survey Map, and submittal of copies of the recorded Deed Restriction and driveway agreement to the Planning and Zoning Department.
- (2) “To change from Agricultural to Rural Residential”, (James and LeRoy Yohn) a parcel of land located in Sections 16 and 21, Town of Fountain Prairie, more particularly described as follows: PARCEL NUMBER 407 Part of the SE ¼ of the SE ¼, Section 16 and part of the Northeast Quarter of the Northeast Quarter, Section 21, Town 11N, Range 12E, Town of Fountain Prairie described as follows: Commencing at the northeast corner of said Section 21; Thence South 88 degrees 53 minutes 16 seconds West along the North line of the Northeast Quarter of said Section 21, 890.10 feet to the point of beginning; Thence continuing South 88 degrees 53 minutes 16 seconds West along the north line of the Northeast Quarter of said Section 21, 8.59 feet; Thence South 00 degrees 39 minutes 41 seconds West, 628.72 feet to a point in the centerline of Fields Road; Thence North 89 degrees 54 minutes 44 seconds East along the center line of Fields Road, 355.27 feet to a point in the East line of lands described and recorded in Volume 442 of records, page 159;

Thence South 00 degrees 43 minutes 21 seconds East along the East line of lands described and recorded in Volume 442 of records, page 159, 48.50 feet to the point of beginning. Said property contains 5.00 acres, more or less. This rezoning effective upon the recording of the Certified Survey Map, and submittal of a copy of the recorded Deed Restriction to the Planning and Zoning Department.

- (3) "To change from Agricultural to Rural Residential", (James and LeRoy Yohn) a parcel of land located in Sections 16 and 21, Town of Fountain Prairie, more particularly described as follows: PARCEL NUMBER 408 Part of the Southwest Quarter of the Southeast Quarter, Section 16, and part of the Northwest Quarter of the Northeast Quarter, Section 21, Town 11North, Range 12East, Town of Fountain Prairie, described as follows: Beginning at the North Quarter corner of said Section 21; Thence North 00 degrees 43 minutes 21 seconds West along the North – south quarter line of said Section 16, 79.89 feet to a point in the center line of Fields Road; Thence North 89 degrees 54 minutes 44 seconds East along the centerline of Fields Road, 290.68 feet; Thence South 00 degrees 39 minutes 41 seconds East, 300.71 feet; Thence North 89 degrees 43 minutes 47 seconds West, 290.62 feet to a point in the North – South quarter line of said Section 21; Thence North 00 degrees 39 minutes 41 seconds West along the North – South quarter line of said Section 21, 219.00 feet to the point of beginning; Said property contains 2.00 acres, more or less. This rezoning effective upon the recording of the Certified Survey Map, and submittal of a copy of the recorded Deed Restriction to the Planning and Zoning Department.

Susan Martin, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Jeanne Miller
COLUMBIA COUNTY CLERK

DATE PASSED: December 21, 2005

DATE PUBLISHED: December 29, 2005

First reading of Ordinance.

Motion was made by Supervisor Baumgartner, second by Supervisor Boockmeier to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Supervisor V. Curtis, second by Supervisor DeYoung to suspend the rules and have the third reading of the Ordinance by title only.

Supervisor Nelson inquired about researching and mapping of future deed restrictions. John Bluemke, Planning and Zoning Director, stated that action is between the town and property owner. Currently, no information is available on maps, relative to zoning, until a deed restriction is filed. At this point and time, the County does not research deed restrictions. Supervisor Nelson expressed concerns regarding this matter and asked if the Planning and Zoning Committee would be pursuing a solution. Supervisor Lloyd inquired how an informed decision is made if nothing is mapped or researched until the transaction is registered? John Bluemke stated when the ordinance is passed it becomes effective after a certified survey is filed and a copy of the deed restriction received. He did indicate that the Planning and Zoning Committee is looking at alternatives and future procedures for deed restrictions could be developed.

The motion carried unanimously.

Third reading of Ordinance.

Motion was made by Supervisor Horton, second by Supervisor Ross to adopt the Ordinance.

Petition No. 1 was questioned with regards to length of driveway and emergency services.

Supervisor Lloyd reiterated her concern with continued rezoning from agriculture to rural residential and long-term impact of rural residential zoning and liability to agriculture in this county.

Motion carried, not unanimously. The Ordinance was declared passed and is to be known as Ordinance Z333-05.

**ORDINANCE NO. 86-05
An Amending Ordinance**

Section 16-1-2 (a)(1)(f)(1) is amended as follows:

- (1) The location of the accessory building does not preclude the construction of a single family dwelling on the lot or parcel, unless Section 16-1-~~12~~ 13 (b)(3) applies.

Section 16-1-2(a)(1)(h) is amended as follows:

- h. Telephone exchanges, provided there be no service garage or storage yard. Telephone, telegraph and power distribution poles and lines and necessary appurtenant equipment and structures, such as transformers, unit substations and equipment housings. These regulations, however, shall not include microwave radio relay structures unless and until the location thereof shall first have been approved by the Board of Adjustment Planning and Zoning Committee.

Section 16-1-2 (2)(b)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~ 13 (c).

Section 16-1-2 (2)(b)(4)(e) is amended as follows:

- e. For highway setback lines, see Section 16-1-~~17~~ 19 Highway Setback Lines.

Section 16-1-2 (2)(b)(5) is amended as follows:

- (5) Off-Street Parking. See Section 16-1-~~12~~ 13 (e).

Section 16-1-3 (b)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~ 13 (c).

Section 16-1-3 (b)(5) is amended as follows:

- (5) Highway Setback Lines. See Section 16-1-~~17~~ 19.

Section 16-1-3 (b)(6) is amended as follows:

- (6) Off Street Parking. See Section 16-1-~~12~~ 13(e).

Section 16-1-4 (d)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~ 13 (c).

Section 16-1-4 (d)(5) is amended as follows:

- (5) Highway Setback Lines. See Section 16-1-~~17~~ 19.

Section 16-1-5 (b)(1)(f) is amended as follows:

- f. Residential units when created through farm consolidation as provided in 16-1-~~4~~ 5 Subsection (b)(1)(b)(~~2~~) above.

Section 16-1-5 (b)(2)(g) is amended as follows:

- g. Migrant labor camps, which meet local and state codes for housing and sanitation, provided that there shall be a woven wire fence located at the right of way line of the adjacent highway and not less than four (4) feet high, extending across the whole frontage of each such camp that is occupied by buildings, with no openings except one exit to the highway. Provided further that there shall be one access to the adjacent highway for each such camp and that there shall be a vision clearance triangle in each quadrant of the intersection of such access road and such highway, and a vision clearance setback line connecting a point located in the centerline of the access road at the intersection with the highway setback line established in Section 16-1-~~17~~ 19 and a point on the centerline of the highway not less than three hundred (300) feet from its intersection with the centerline of the access road.

Section 16-1-5 (c)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~ 13 (c).

Section 16-1-5 (c)(2) is amended as follows:

- (2) Farm Area. For the purpose of this Section, a farm is a parcel of land thirty-five (35) acres or more in size. For permitted residential divisions as per Section 16-1-4 ~~5~~ (b)(1)(b)(~~2~~), the lot size requirements of the Single Family Residence District shall apply.

Section 16-1-5 (c)(6) is amended as follows:

- (6) Highway Setback Lines. See Section 16-1-~~17~~ 19.

Section 16-1-6 (d)(7) is amended as follows:

- (7). Migrant labor camps, which meet local and state codes for housing and sanitation, provided that there shall be a woven wire fence located at the right of way line of the adjacent highway and not less than four (4) feet high, extending across the whole frontage of each such camp that is occupied by buildings, with no openings except one exit to the highway. Provided further that there shall be one access to the adjacent highway for each such camp and that there shall be a vision clearance triangle in each quadrant of the intersection of such access road and such highway, and a vision clearance setback line connecting a point located in the centerline of the access road at the intersection with the highway setback line established in Section 16-1-~~17~~ 19 and a point on the centerline of the highway not less than three hundred (300) feet from its intersection with the centerline of the access road.

Section 16-1-6 (e)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~ 13 (c).

Section 16-1-6 (e)(2) is amended as follows:

- (2) Farm Area. For the purpose of this Section, the parcel shall be less than thirty-five (35) acres in size. For permitted residential divisions as per Section 16-1-4 ~~5~~ (b)(1)(b)(~~2~~), the lot size requirements of the Single Family Residence District shall apply.

Section 16-1-6 (e)(6) is amended as follows:

- (6) Highway Setback Lines. See Section 16-1-~~17~~19.

Section 16-1-7 (b)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~ 13 (c).

Section 16-1-7 (b)(4) is amended as follows:

- (4) Highway Setback Lines. See Section 16-1-~~17~~19.

Section 16-1-7 (b)(5) is amended as follows:

- (5) Off-Street Parking. See Section 16-1-~~12~~13 (e).

Section 16-1-8 (a)(2)(c)(8) is amended as follows:

8. If, on inspection, the Zoning Administrator finds that any of the above requirements are not being met at any time, he or she shall give notice to the owner or operator of the premises, specifying in writing the condition not met. If after fourteen (14) days of such notice, compliance has not been made, the Zoning Administrator shall file a complaint with the Columbia County ~~Board of Adjustment~~ Planning and Zoning Committee, who shall hear the action after notice.

Section 16-1-8 (b)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~13 (c).

Section 16-1-8 (b)(6) is amended as follows:

- (6) Highway Setback Lines. See Section 16-1-~~17~~19.

Section 16-1-8 (b)(7) is amended as follows:

- (7) Off-Street Parking. See Section 16-1-~~12~~13 (e).

Section 16-1-9 (a)(1)(a) is amended as follows:

- a. Residential uses only when an integral part of a commercial operation. Limited expansion of existing, non-commercial residential structures is allowed subject to the limitation at Section 16-1-~~12~~13(a)(6)d.

Section 16-1-9 (b)(1) is amended as follows:

- (1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of thirty-five (35) feet. See Section 16-1-~~12~~13 (c).

Section 16-1-9 (b)(6) is amended as follows:

(6) Highway Setback Lines. See Section 16-1-~~17~~19.

Section 16-1-9 (b)(7) is amended as follows:

(7) Off-Street Parking. See Section 16-1-~~12~~13 (e).

Section 16-1-10 (a)(2)(h) is amended as follows:

h. Residential uses only when an integral part of an approved commercial operation. Limited expansion of existing, non-commercial residential structures is allowed subject to the limitation of Section 16-1-~~12~~ 13(a)(6)d.

Section 16-1-10 (b)(6) is amended as follows:

(6) Highway Setback Lines. There shall be setback lines along abutting highways as required by the provisions of Section 16-1-~~17~~19, and the following special regulations shall also apply:

Section 16-1-10 (b)(7) is amended as follows:

(7) Off-Street Parking. See Section 16-1-~~12~~13 (e).

Section 16-1-11 (b)(1) is amended as follows:

(1) Height. Except as otherwise provided in this Ordinance, no building shall exceed a height of eighty (80) feet. See Section 16-1-~~12~~ 13(c).

Section 16-1-11 (b)(5) is amended as follows:

(5) Highway Setback Lines. See Section 16-1-~~17~~19.

Section 16-1-11 (b)(6) is amended as follows:

(6) Off-Street Parking. See Section 16-1-~~12~~13 (e).

Section 16-1-13(b)(4) is amended as follows:

(4) Existing single family residences located on less than thirty-five (35) acres in the Agricultural District may be altered, repaired or rebuilt if destroyed, if they were constructed prior to December 21, 1977, unless Section 16-1-~~12~~13 (a) (6)c applies.

Section 16-1-13(g)(2) is amended as follows:

(2) Permit Procedures. Home occupations complying with the criteria established in Section 16-1-13 ~~(e)~~ (g)(3) shall be considered to be minor in character and permitted by right with no permit required. Major home occupations shall commence only after the receipt of a home occupation permit as outlined in Section 16-1-18. All applicable state, federal, and local business and/or occupational licenses shall be obtained by the person(s) conducting the home occupation. All activities associated with a home occupation and the premises shall comply with all applicable local, county, and state building, fire, sanitary and health requirements and regulations.

Section 16-1-14(a)(5) is amended as follows:

(5) A zoning permit shall lapse and become void unless the operation described in the permit is commenced within ~~one (1) year~~ two (2) years from the date of issuance of such permit.

Section 16-1-14(a)(6) is repealed:

Susan Martin, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Jeanne Miller
COLUMBIA COUNTY CLERK

DATE PASSED: December 21, 2005

DATE PUBLISHED: December 29, 2005

First reading of Ordinance.

Motion was made by Supervisor Baumgartner, second by Supervisor V. Curtis to suspend the rules and have the second reading of the Ordinance by title only.

Supervisor Lloyd asked for clarification for the Ordinance change. John Bluemke, Planning and Zoning Director indicated nothing had changed except cross-references.

Supervisor Pufahl indicated that the zoning permit changed from one (1) year to two (2) years. John Bluemke said this was changed to coincide with sanitary permits.

It was further clarified that this amended Ordinance was submitted for housekeeping issues. Inquiry was made regarding migrant labor camps. Director John Bluemke indicated that particular section of the Ordinance has been in place for 20-30 years. He had not dealt with it since his tenure began in Columbia County.

Supervisor J. Robert Curtis felt the language was discriminatory and recommended the Ordinance be amended. He recommended the Committee review the document and remove all reference to the word "migrant" from the Ordinance. Motion to amend and strike "migrant labor camps" and insert proper terminology applying to "all" camps. John Bluemke stated that this particular section falls under the agriculture district only and pertains to agriculture. Chair Martin indicated it did not apply to recreational or church camps only agriculture labor camps.

Motion to amend all reference, in this Ordinance, of migrant labor camps to agriculture labor camps was made by Supervisor J. Curtis, second by Supervisor Nelson.

Supervisor Pufahl agreed with concerns; however, suggested that instead of making a motion to amend the terminology, rather have the motion indicate the Committee should research the current State Code bringing the County's Ordinance into compliance.

Supervisor V. Curtis indicated there was a first and second on the floor.

Supervisor Sanderson spoke against the motion and suggested the Ordinance be referred back for improper submittal. He referred to page 31 of Standing Rules and read requirements for submitting resolutions and ordinances. A brief synopsis should have been included indicating that these amendments were simply housekeeping amendments on agriculture zoning code.

The motion to amend failed on a voice vote.

The motion to go to the second reading carried, not unanimously.

Second reading of Ordinance.

Motion by Supervisor Horton, second by Supervisor Salzwedel to suspend the rules and have the third reading of the Ordinance by title only.

Motion to send back to Committee to include synopsis by Supervisor Sanderson, second by Supervisor Nelson.

Motion to amend failed on a voice vote.

The motion carried, not unanimously.

Third reading of Ordinance.

Motion was made by Supervisor Baumgartner, second by Supervisor Kinney to adopt the Ordinance.

Supervisor Ross indicated that Committee should be made aware of proper requirements for submitting Ordinance.

Supervisor Nelson called for a roll call vote. The motion carried as follows:

AYES: 28; NOES: 2

AYES: O'Neil, Olson, Pufahl, Pugh, Richmond, Robson, Ross, Salzwedel, Stevenson, Stoltenberg, Tramburg, Westby, Wopat, Andler, Baebler, Baumgartner, Boockmeier, J. Curtis, V. Curtis, DeYoung, Ford, Hamele, Healy, Horton, Hutler, Jenkins, Kinney and Lloyd.

NOES: Nelson and Sanderson.

The Ordinance was declared passed and is to be known as Ordinance 86-05.

ORDINANCE NO. 87-05

The Columbia County Board of Supervisors hereby amends Title 5, County Administration, Chapter 3, Expense Reimbursement, Section 9, Reimbursement Schedule, to read as follows:

Section 5-3-9 Reimbursement Schedule.

Mileage \$ ~~.36~~ per mile \$.39 per mile

The remainder of Section 5-3-9 is to remain in force and effect.

This ordinance is to be effective January 1, 2006.

Fiscal Impact:
increase in mileage rate to .39 will
cost an additional \$8,400/year.

Susan Martin, Chair
COLUMBIA COUNTY
BOARD OF SUPERVISORS
Jeanne Miller
COLUMBIA COUNTY CLERK

DATE PASSED: December 21, 2005
DATE PUBLISHED: December 29, 2005

First reading of Ordinance.

Motion was made by Supervisor Tramburg, second by Supervisor Stevenson to suspend the rules and have the second reading of the Ordinance by title only.

The motion carried unanimously.

Second reading of Ordinance.

Motion by Supervisor Boockmeier, second by Supervisor Stoltenberg to suspend the rules and have the third reading of the Ordinance by title only.

The motion carried unanimously.

Third reading of Ordinance.

Motion was made by Supervisor Andler, second by Supervisor DeYoung to adopt the Ordinance.

Motion carried unanimously. The Ordinance was declared passed and is to be known as Ordinance 87-05.

It was noted that the Highway Salt Dome Construction report was placed on Supervisors desks. Highway & Transportation Commissioner, Kurt Dey, stated that salt storage revenues are reported under the County's Internal Service Fund and that revenues collected turn into equity then applied against next years budget.

Supervisor Tramburg indicated the "2006 Budget in Brief" booklets have been provided to County Board Supervisors for their use and constituents.

Supervisor J. Curtis moved adjournment of the last meeting of 2005 to Wednesday, January 18, 2005, at 9:45 a.m. in the Carl Frederick Administration Building. Seconded by Supervisor Stoltenberg. The meeting adjourned at 11:34 a.m.

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